

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE SHELLS, INC.

Debtor

CASE No. 14-
JUDGE SHEA-STONUM
CHAPTER 11

IN RE BRAYCO LLC

Debtor

CASE No. 14-
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CHAPTER 11

**MOTION OF SHELLS INC. AND BRAYCO, LLC TO EMPLOY FREDERIC P. SCHWIEG, ESQ.
ATTORNEY AT LAW AS COUNSEL**

Shells Inc. and Brayco, LLC each as Debtor and Debtor-in-Possession in their respective cases (“Debtors”), move this Court for an order authorizing them to employ counsel.

Necessity for Employment. The Debtors have determined that the administration of assets of these estates and the resolution of claims of creditors require the Debtors to obtain legal services. The Debtors need to retain counsel in order to advise them with regard to the administration of these cases, to advise them with regard to the requirements of the Bankruptcy Code, to represent them in all matters before this Court and all cases and proceedings ancillary to the within bankruptcy case. Such matters require the expertise of legal counsel with particular expertise in the Bankruptcy Code and Rules.

Person to be Employed. The Debtors seek to employ Frederic P. Schwieg, Esq., 2705 Gibson Drive, Rocky River, Ohio 44116-3008, telephone number (440) 499-4506 (“Schwieg”) as their counsel.

Reasons for Selection. Mr. Schwieg has been selected by Debtors to perform these services because Mr. Schwieg has expertise in bankruptcy cases and in particular, representation of Debtors-in-Possession, as well as the general business law expertise essential to inform and advise the Debtors concerning their options and obligations in administering this case.

Professional Services to be Rendered. The professional services Mr. Schwieg shall render consist of the preparation of pleadings and services incidental thereto and conducting examinations or depositions of witnesses, participation in negotiations for the sale of assets of the Estate, formulating a plan of reorganization and production of related documents.

Proposed Arrangement for Compensation and Mr. Schwieg's Connections with Other Entities. The Debtors propose to pay Mr. Schwieg for services rendered on an hourly basis and to reimburse all expenses incurred by Mr. Schwieg on behalf of the Estate. Mr. Schwieg currently charges \$275.00 per hour, his normal billable rate for such services, but such rate may change in the future. All fees will, of course, be subject to Court approval and paid only upon Court order. Mr. Schwieg is a disinterested person as that term is defined in the Bankruptcy Code as shown by his attached verified statement.

THEREFORE, the Debtors respectfully request that this Court enter an order authorizing the retention of Frederic P. Schwieg as counsel to Debtors to perform the services necessary for the effective administration of the estate.

Respectfully submitted,
/s/ Frederic P. Schwieg

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Counsel to Debtors, Proposed Counsel to Debtors-
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NOTICE

Pursuant to Local Bankruptcy Rule 9013-1, any objection to this application must be filed within 14 days from the date of service as set forth on the certificate of service. If no response or objection is timely filed, the Court is authorized to grant the relief requested without further notice.

CERTIFICATE OF SERVICE

A copy of this Motion to Employ Counsel was served on the following on the date filed by Notice of Electronic Filing.

Office of the United States Trustee

/s/ Frederic P. Schwieg

Frederic P. Schwieg